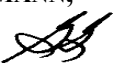




ZONING BOARD OF ADJUSTMENT AND APPEALS

AGENDA REQUEST

AGENDA OF:	09-15-10	AGENDA REQUEST NO:	II-A
INITIATED BY:	NELDA MCGEE, EXECUTIVE SECRETARY	RESPONSIBLE DEPARTMENT:	CITY SECRETARY
PRESENTED BY:	GLENDA GUNDERMANN, CITY SECRETARY	DEPARTMENT HEAD:	GLENDA GUNDERMANN, CITY SECRETARY 
		ADDITIONAL DEPARTMENT. HEAD (S):	N/A
SUBJECT / PROCEEDING:	MINUTES ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING JULY 28, 2010 APPROVE MINUTES		
EXHIBITS:	MINUTES JULY 28, 2010		
CLEARANCES		APPROVAL	
LEGAL:	N/A	INTERIM PLANNING DIRECTOR:	DOUG SCHOMBURG
RECOMMENDED ACTION			
Approve the minutes of the Zoning Board of Adjustment and Appeals meeting July 28, 2010.			

EXHIBITS

STATE OF TEXAS §
COUNTY OF FORT BEND §
CITY OF SUGAR LAND §

CITY OF SUGAR LAND ZONING BOARD OF ADJUSTMENT AND APPEALS MEETING WEDNESDAY, JULY 28, 2010

The City of Sugar Land Zoning Board of Adjustment and Appeal convened in a regular meeting open to the public and pursuant to notice thereof duly given in accordance with Chapter 551, Government Code, Vernon's Texas Codes, Annotated, as amended, in Sugar Land City Hall within said City on Wednesday, July 28, 2010 at 5:00 o'clock P.M. and the roll was called of the members to wit:

Kathy Huebner, Chair
E.G. (Bud) Friedman, Vice Chair
Deloise Holmes, Jr.
Allen Lazor
Gregory Schmidt
Vivian Camacho, Alternate
John Novak, Alternate
Deron Patterson, Alternate

QUORUM PRESENT

All of said members were present, with the exception of ***Mr. Gregory Schmidt, Mr. Deron Patterson, and Ms. Vivian Camacho***, who were absent.

Also present were:
Doug Schomburg, Interim Planning Director
Aaron Dobbs, Assistant City Attorney
Nelda McGee, Executive Secretary, and
A Number of Visitors and Planning Staff

CONVENE MEETING

Chairman Huebner convened the session, open to the public, to order at 5:04 o'clock P.M.

MINUTES

Chairman Huebner introduced consideration on the minutes of the Zoning Board of Adjustment and Appeals meeting held May 26, 2010.

Following a full and complete discussion, ***Mr. Novak***, seconded by ***Mr. Friedman***, made a motion to approve the minutes of the Zoning Board of Adjustment and Appeals meeting held May 26, 2010 as written. The motion carried unanimously.

PUBLIC HEARING

1710 COUNTRY CLUB BOULEVARD, SUGAR CREEK SECTION 24

Chairman Huebner introduced the public hearing to receive and hear all persons desiring to be heard on a request for Special Exception to the rear yard setback requirement for 1710 Country Club Boulevard, Lot 6, Block 4, Sugar Creek Section 24 in the Restricted Single-Family (R-1R) Residential District.

Ms. Ruth Lohmer, Senior Planner stated the residential property was platted in 1976, annexed in 1984, and zoned Restricted Single Family Residential (R-1R); the applicant proposes to construct a patio cover on the rear of the home.

Recorded covenants and restrictions require a 5-foot rear yard setback; current R-1R zoning requires a 30-foot rear setback. The proposed patio cover will be approximately five feet from the rear property line. Granting the Special Exception will allow the structure to meet the original 5-foot rear yard setback.

The majority of area homes do not meet the required 30-foot rear yard setback; the addition appears architecturally compatible with neighborhood; the subdivision was developed prior to annexation and zoning.

The first three Special Exception criteria have been met:

1. Property was platted prior to annexation
2. Recorded restrictions are less restrictive than setbacks per zoning
3. Special Exception is not less restrictive than recorded restrictions

Staff found no apparent issues with the fourth criterion:

4. Detrimental to public welfare or injurious to neighborhood

All requirements for the public hearing have been met; two informational inquiries were received.

Staff recommends approval of the Special Exception with the conditions it is constructed in compliance with the site plan and elevations.

Chairman Huebner opened the public hearing for a Special Exception to the rear yard setback requirement.

The applicant did not address the Board.

Chairman Huebner entertained comments from the public; hearing no requests to speak, the public hearing was closed.

SPECIAL EXCEPTION

1710 COUNTRY CLUB BOULEVARD, SUGAR CREEK SECTION 24

Chairman Huebner introduced consideration on the criteria for a Special Exception to the rear yard setback requirement for 1710 Country Club Boulevard, Lot 6, Block 4, Sugar Creek Section 24 in the Restricted Single-Family (R-1R) Residential District.

There being no discussion on the four criteria required to grant the Special Exception, *Chairman Huebner* entertained a motion.

Mr. Friedman, seconded by *Mr. Lazor*, made a motion to find that all four criteria have been met; that the statements under Section 2-50, Subsection (a) of the Sugar Land Development Code have been met; and to approve the Special Exception to the rear yard setback requirement for 1710 Country Club Boulevard, Sugar Creek Section 24 with the condition the site plan and elevation specifications be a condition of approval. The motion carried unanimously.

ADJOURN

There, being no further business to come before the Board, *Mr. Lazor* seconded by *Mr. Holmes* moved that the meeting adjourn. The motion carried unanimously and the meeting adjourned, time at 5:11 o'clock P.M.

Kathy Huebner, Chairman

Glenda Gundermann, City Secretary

(SEAL)